

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JOHN HUCK, TOM JONES, RAYMOND REISIG,
REUBEN REISIG, LESTER OLSON, FORREST
HICKMAN, JOHN WATSON, THOMAS SLUSHER,
EUGENE GALLEGOS and JOHN MORRIS,
individually and on behalf of all others similarly
situated,

Plaintiffs,

vs.

UNION PACIFIC CORPORATION and UNION
PACIFIC RAILROAD COMPANY,

Defendants.

Case No. 06 CV 464

DAVID BLACKMORE, JERRY EUBANK,
JEFFREY KLAPPRODT, JACOB MOORE, CHRIS
NELSON, GEORGE OWEN, WILLIAM J. PLATT,
WILLIAM PRICE, and CHRIS TUCKER,

Plaintiffs,

vs.

UNION PACIFIC RAILROAD,

Defendant.

Consolidated under
Case No. CV 464

(originally No. 06 CV 548)

DAVID BOILES, RONALD HART, J.T. CULWELL,
JR., JAMES BOSE, DON BRENT JOHNSON,
TYLER GENE JONES, JACK D. LUGE, and
WILLIAM BOSLEY, individually and on behalf of all
similarly situated Union Pacific Employees, Former
Employees and Contractors,

Plaintiffs,

vs.

UNION PACIFIC CORPORATION a/k/a UNION
PACIFIC,

Defendant.

Consolidated under
Case No. CV 464

(originally No. 06 CV 689)

**JOINT MOTION FOR PRELIMINARY APPROVAL OF
CLASS SETTLEMENT AND APPROVAL OF CLASS NOTICE PLAN**

Class Plaintiffs, John Huck, Tom Jones, Raymond Reisig, Reuben Reisig, Lester Olson, Forrest Hickman, John Watson, Thomas Slusher, Eugene Gallegos, John Morris, David Blackmore, Jerry Eubank, Jeffrey Klapprodt, Jacob Moore, Chris Nelson, George Owen, William Platt, William Price, Chris Tucker, David Boiles, Ronald Hart, J.T. Culwell, Jr., James Boese, Don Johnson, Tyler Jones, Jack D. Luge, and William Bosley, on behalf of themselves and the Settlement Class (as defined in the Class Action Settlement Agreement), and Defendants, Union Pacific Corporation and Union Pacific Railroad Co. (referred to collectively as “Union Pacific”), by their attorneys, jointly request that the Court: (i) grant preliminary approval of the proposed class action settlement (the “Proposed Settlement”) subject to a final fairness hearing; and (ii) approve the forms and manner of notice to the class and direct the issuance of the notice to the class. In support hereof, the parties submit the accompanying memorandum, Class Action Settlement Agreement, Class Notice, and proposed Preliminary Approval Order.

WHEREFORE, the parties respectfully request that this Court grant this Motion and enter the attached Order.

Dated: July 25, 2007

Respectfully Submitted,

s/Michael R. Perri
 Michael R. Perri
 Phillips McFall McCaffrey
 McVay & Murrah, P.C.
 211 North Robinson, 12th Floor
 Oklahoma City, Oklahoma 73102
 Phone: 405-235-4100/Fax: 405-235-4133
 E-mail: mrperri@phillipsmcfall.com

David Perryman
 Frailey, Chaffin, Cordell, Perryman
 Sterkel & McCalla LLP
 201 North 4th Street, P.O. Box 533
 Chickasha, Oklahoma 73023
 Phone: 405-224-0237/Fax: 405-222-2319
 E-Mail: dperryman@fccpsm.com

s/William M. Lamson, Jr.
 William M. Lamson, Jr.
 Lamson, Dugan and Murray, LLP
 Lamson, Dugan and Murray Building
 10306 Regency Parkway Drive
 Omaha, Nebraska 68114-3743
 Phone: 402-397-7300/Fax: 402-397-7824
 E-Mail: wlamson@ldmlaw.com

Kenneth M. Kliebard
 Howrey LLP
 321 North Clark Street, Suite 3400
 Chicago, Illinois 60610-4714
 Phone: 312-595-1239/Fax: 312-595-2250
 E-Mail: kliebardk@howrey.com

Counsel for Defendants

Ryan M. Sewell
215 South Main Street
Council Bluffs, Iowa 51503
Phone: 712-328-1575/Fax: 712-328-1562
E-mail: rsewell@cox.net

Robert E. O'Connor, Jr.
2433 South 130th Circle
Omaha, Nebraska 68144
Phone: 402-330-5906/Fax: 402-330-9763
E-mail: reolaw@aol.com

Robert G. Pahlke
Pahlke, Smith, Snyder, Petitt & Eubanks
1901 First Avenue, P.O. Box 1204
Scottsbluff, NE 69363-1204
Phone: 308.635.3161/Fax: 308.632.3128

Clifford A. Cantor
Law Offices Of Clifford A. Cantor, P.C.
627 208th Avenue SE
Sammamish, WA 98074-7033
Phone: 425.868.7813/Fax: 425.868.7870

Counsel for Class Plaintiffs